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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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OCT 28 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No. BRCT-940407KF
)	
For Renewal of License of)	
Station WTVE(TV), Channel 51)	
Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	File No. BPCT-940630KG
CORPORATION)	
)	
For Construction Permit)	

ORIGINAL

To: Administrative Law Judge Richard L. Sippel

OPPOSITION TO MOTION TO ENLARGE ISSUES
(FALSE STATEMENTS AND MISREPRESENTATIONS
BY MICHEAL PARKER IN BANKRUPTCY PROCEEDING)

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October 28, 1999

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ABCDE

SUMMARY

Adams seeks to add an issue to this proceeding, through a late-filed motion, to determine whether Reading, in light of Adams' unfounded claim that Micheal Parker allegedly made false statements and misrepresentations in a 1989 personal bankruptcy proceeding, is qualified to remain a licensee.

This proceeding was initiated by a Hearing Designation Order which was published in the Federal Register on June 15, 1999. In early August 1999, the Presiding Officer authorized parties to present evidence on past broadcast experience. Adams claims that it was not until Reading expressly stated, in Reading's September 3 and 13 pleadings, that it intended to rely on Micheal Parker's efforts at bringing stations out of bankruptcy as evidence of positive past broadcast experience, that it decided to further investigate Micheal Parker's background with respect to bankruptcy. The record shows that Adams had in its possession by no later than September 17, 1999, copies of the principal direct evidence used to support its allegations. Adams fails to explain why its Motion is late-filed nor does Adams make any attempt to show good cause for its late filing.

Even if Adams had filed a timely request for the addition of a qualifying issue, Adams' *Motion* is predicated on allegations of non-FCC misconduct that have not been adjudicated, and therefore, under the Commission's character policy no basis exists for examining the allegations.

TABLE OF CONTENTS

<u>Summary</u>	ii
<u>Standard</u>	2
I. <u>Adams' Motion Is Late-Filed</u>	2
II. <u>Adams' Motion Is Not Based On A Final Adjudication Of Which The Commission Can Take Cognizance</u>	5
A. <u>Adams Fails To Present Evidence That Micheal Parker, Under Penalty of Perjury, Made False Statements and Misrepresentations In A Personal Bankruptcy Proceeding</u>	7
1. <u>Adams Fails To Show That Micheal Parker, In 1989, Had Any Ownership Interest In Partel, Inc.</u>	7
2. <u>Adams Fails To Show That Micheal Parker Made False Representations, Under Penalty Of Perjury</u>	8
B. <u>The Statute of Limitations For Bringing An Action For Misrepresentations In A Bankruptcy Petition Is One Year.</u>	9
III. <u>To The Extent That Adams Attempts To Rely On Information From Reading's Corporate Minutes, That Information Is Not Admissible Because It Is Unacceptable Hearsay And It Does Not Demonstrate An Adjudication Of Non-FCC Misconduct.</u>	10

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To: Administrative Law Judge Richard L. Sippel

OPPOSITION TO MOTION TO ENLARGE ISSUES
(FALSE STATEMENTS AND MISREPRESENTATIONS BY MICHEAL
PARKER IN BANKRUPTCY PROCEEDING)

1. Pursuant to Section 1.294 of the Commission's Rules, Reading Broadcasting, Inc. ("Reading"), by its attorneys, hereby submits its Opposition to the *Motion to Enlarge Issues (False Statements and Misrepresentations by Micheal Parker in Bankruptcy Proceeding)* ("Motion") filed on October 18, 1999 by Adams Communications Corporation ("Adams").

2. In its *Motion*, Adams urges the Presiding Officer to add an issue to this proceeding to determine whether Reading, in light of Adams' unfounded claim that Micheal Parker, Reading's president, director and substantial shareholder, allegedly made false statements and misrepresentations, under penalty of perjury, in a personal bankruptcy proceeding, is qualified to remain a licensee.

3. Standard. In order to grant a timely-filed motion to enlarge issues, the Presiding Officer must find, pursuant to Section 1.229 of the Commission's Rules, that the moving party has set forth specific allegations of fact, supported, where necessary, by affidavits from persons with personal knowledge, demonstrating that substantial and material questions of fact exist. Not only does Adams fail to make the requisite showing for a timely-filed motion, Adams' *Motion* is late-filed.

4. Because Adams' *Motion* is late-filed, the Presiding Officer must find that either Adams has shown good cause for its late filing, or that "an initial examination of the motion demonstrates that it raises a question of probable decisional significance and such substantial public interest importance as to warrant consideration in spite of its untimely filing." *See* 47 C.F.R. § 1.229(c). Absent such finding, the Presiding Officer must deny Adams' *Motion*.

I. Adams' Motion Is Late-Filed.

5. This proceeding was initiated by *Hearing Designation Order* ("HDO"), DA 99-865, published in the Federal Register on June 15, 1999. *See* 64 FED. REG. 32046. Section 1.229(b)(2) of the Commission's Rules requires that in comparative renewal cases the request for adding post designation issues must be filed within 30 days of the designation order's publication in the Federal Register. Motions for adding issues which are based on new facts or facts that could not reasonably have been discovered earlier must be filed within 15 days after such facts are discovered by the moving party. *See* 47 C.F.R. § 1.229(b)(3); *REM Malloy Broadcasting*, 9 FCC Rcd 4822 at ¶26 (Rev. Bd. 1994) (emphasizing need for diligence in raising new matter); *Great Lakes Broadcasting, Inc.*, 6 FCC Rcd 4331, 4333 (1991) (admonishing

Presiding Officers to “strictly enforce the provisions of Section 1.229, including the requirement that petitions to enlarge issues rely on evidence that is new and that could not reasonably have been discovered earlier”).

6. Adams states that the impetus for filing its *Motion* came in response to pleadings filed by Reading on September 3, 1999 and September 13, 1999 in which Reading indicated it intended to claim credit for Micheal Parker’s past broadcast experience based, in part, on Mr. Parker’s efforts in taking stations out of bankruptcy. *Motion* at ¶9. According to Adams, Reading’s claim for past broadcast experience credit based on taking stations out of bankruptcy led Adams to further investigate Micheal Parker’s background with respect to bankruptcy. *Motion* at ¶6. However, Reading’s pleadings made no reference to Mr. Parker’s personal bankruptcy, so the explanation provided by Adams is dubious at best.

7. Adams states that in order to find evidence to develop rebuttal proofs for use at trial against Reading’s intended claim for credit for Micheal Parker’s past broadcast experience, it needed to depose Micheal Parker, obtain representative documents regarding Micheal Parker’s past broadcast experience and obtain copies of Reading’s corporate minutes. *Motion* at ¶10. Even though Adams claims its efforts were hampered, Adams nonetheless was able to uncover evidence which it claims supports the allegations contained in the subject *Motion*. *Id.*

8. Even accepting Adams’ claim that it was not until Reading expressly stated that it intended to rely on Micheal Parker’s efforts at bringing stations out of bankruptcy as evidence of positive past broadcast experience that it began its investigation into Micheal Parker’s personal bankruptcy proceeding, then, at the

very latest, Adams was required to raise an issue relating to this matter within 15 days of September 13. Adams offers no explanation for filing its *Motion* beyond this date.

9. The record in Mr. Parker's personal bankruptcy case has been publicly available since 1989. Not only could Adams have obtained that record years ago, but the record in this case makes it clear that Adams did have a copy of the record in the personal bankruptcy case at least as early as September 17, 1999, when Adams produced a carton of documents that included a copy of that record. *See* Exhibit A. Adams' *Motion* therefore is plainly untimely.

10. Adams has not even attempted to show that the information it relied on could not with the exercise of reasonable diligence have been discovered earlier. This is not a situation, nor has Adams otherwise alleged, where evidence relating to Micheal Parker's personal bankruptcy and which Adams relied on for its *Motion* has been concealed. Nor is this a situation which could not have been ascertained within the time period for adding issues contemplated by the rules. The direct evidence presented by Adams in its *Motion* to support its allegations, *i.e.*, documents from Micheal Parker's personal bankruptcy proceeding (Exhibit 7 of its *Motion*), is publicly available. Moreover, none of the direct evidence that Adams set forth was adduced from Micheal Parker's deposition or from discovery requests from Reading. Thus, Adams' discourse about the difficulties encountered in scheduling

Micheal Parker's deposition,¹ obtaining copies of Reading's corporate minutes and obtaining representative documents regarding past broadcast experience is illusory, apparently crafted to divert attention away from the irrefutable fact that Adams failed to file its *Motion* within the time limits of Section 1.299.

11. It is clear that the Adams *Motion* is late-filed and that Adams has failed to show good cause why it could not have filed its *Motion* earlier. However, this is just one of the fatal defects in Adams' *Motion*. Even if Adams had filed a timely request for the addition of a qualifying issue, as explained below, the information Adams presented fails to provide even a colorable basis for adding such an issue.

II. Adams' *Motion* Is Not Based On A Final Adjudication Of Which The Commission Can Take Cognizance.

12. Adams' *Motion*, filed more than four months after Federal Register publication of the *HDO* and more than 15 days after the information was available, not only fails to meet the Commission's stringent procedural standards for adding issues, but insofar as it is predicated on allegations of non-FCC misconduct that have not been adjudicated, also is not based on a final adjudication of which the

¹ For the record, Reading notes that contrary to Adams' assertion (*Motion* at ¶7) (and although Adams was properly advised), Micheal Parker's deposition that was scheduled for the week of September 27, 1999, was cancelled by Mr. Parker due to his illness with severe bronchitis (not laryngitis) which prevented him, under the advice of his physician, from traveling by airplane from his home in Washington state to Washington, D.C.

Commission can take cognizance. *See Character Policy Statement*, 102 FCC 2d 1179, 1204-05.²

13. Although the Commission's character policy takes into account certain specified non-FCC misconduct, instances of non-FCC misconduct, such as alleged misrepresentations to a bankruptcy court, may only be considered after the allegations have been adjudicated by an appropriate trier of fact. *See Character Policy Statement* at ¶46 ("we will consider the misconduct as being relevant to an applicant's character qualifications only where there has been an adjudication and that adjudication falls into one of the . . . categories of non FCC behavior); *see also Press Broadcasting Company, Inc.*, 13 FCC Rcd 1026 at ¶11 (1998); *Multimedia, Inc.*, 11 FCC Rcd 4883, 4896 (1995); *Charlotte L. Olive*, 6 FCC Rcd 4993 (1991).

14. As explained below, the record in this case does not indicate the existence of any adjudicated misconduct or even a pending investigation, claim or other action that, if adjudicated, would constitute bankruptcy fraud or other relevant non-FCC misconduct. Therefore, the Commission has no basis for examining the allegations against Micheal Parker in the bankruptcy proceeding set forth by Adams.

15. Before an adjudication of non-FCC fraud in a civil action can be considered non-qualifying, there must be a "sufficient nexus" between the fraudulent misrepresentation and the "possibility that an applicant might engage in

² *Policy Regarding Character Qualifications in Broadcast Licensing*, 102 FCC 2d 1179, 1209 at ¶21 (1986), *modified*, 5 FCC Rcd 3252 (1990), *recon. granted in part, denied in part*, 6 FCC Rcd 3448 (1991), *modified in part*, 7 FCC Rcd 6564 (1992) ("*Character Policy Statement*").

similar behavior in dealing with the Commission.” *Character Policy Statement* at ¶36. Even though Adams attempts to show, through confounded logic, that there is a nexus between Mr. Parker’s alleged misconduct in a personal bankruptcy proceeding and Reading’s claim that it intends to seek credit for Mr. Parker’s past broadcast experience based, in part, on his efforts at bringing three stations out of bankruptcy, Adams’ efforts are unavailing. The Commission’s consideration of non-FCC misconduct is only with respect to that conduct which has been adjudicated. Because the conduct set forth by Adams has not been adjudicated, and more importantly, as discussed below, is not subject to adjudication, the Commission has no basis for examining Adams’ allegations.

A. Adams Fails To Present Evidence That Micheal Parker, Under Penalty Of Perjury, Made False Statements And Misrepresentations In A Personal Bankruptcy Proceeding.

1. Adams Fails To Show That Micheal Parker, In 1989, Had Any Ownership Interest In Partel, Inc.

16. Adams relies on three documents to infer that Micheal Parker was the sole officer, director and stockholder of Partel, Inc. at the time he filed, in 1989, a personal bankruptcy petition. *Motion* at ¶12. First, Adams relies on (attached as Exhibit 4 to its *Motion*) an FCC Form 323 Ownership Report filed by Reading on March 29, 1994 that states that Micheal Parker was the sole officer, director and stockholder of Partel, Inc. *See* Exhibit B. Second, Adams relies on (attached as Exhibit 5 to its *Motion*) deposition testimony from this proceeding in which Micheal Parker states that he currently is sole owner of Partel, Inc. and that Partel, Inc. was formed in the mid-1980s or prior to the mid-1980s. *See* Exhibit C. Third, Adams

relies on (attached as Exhibit 6 to its *Motion*) a hearing transcript dated January 7, 1988, in which an innocuous reference is made to an entity named “Partel, Inc.” See Exhibit D.

17. None of these documents confirms that Micheal Parker was the sole officer, director and shareholder of Partel, Inc. in 1989, the time he filed the personal bankruptcy petition. The ownership report is only useful to confirm the ownership of Partel, Inc. as of March 29, 1994. Similarly, the discussion in the deposition testimony only confirms that Micheal Parker currently is the sole owner of Partel, Inc. and that Partel, Inc. was formed in the 1980s. It is notable that during this line of questioning Micheal Parker was not asked whether he was, in 1989, the sole owner of Partel, Inc. Finally, the mention in the hearing transcript does not even provide evidence that Micheal Parker had any association with Partel, Inc. Therefore, as a preliminary matter, Adams has failed to show that in 1989, Micheal Parker was sole officer, director and shareholder of Partel, Inc., or for that matter, had any ownership interest in Partel, Inc.

2. Adams Fails To Show That Micheal Parker Made False Representations, Under Penalty Of Perjury.

18. Even if Adams had shown that Micheal Parker was sole owner, in 1989, of Partel, Inc., the evidence Adams provided fails to show that Mr. Parker made any misrepresentations under penalty of perjury. Adams provides copies of two documents from the bankruptcy petition (attached as Exhibit 7 at 14, 15 in *Motion*), wherein Micheal Parker, under penalty of perjury, attests to the truthfulness of the underlying document. *Motion* at ¶16. See Exhibit E.

19. However, upon close examination, the documents Adams provided that contain Micheal Parker's declarations, under penalty of perjury, do not relate to any statements made by Parker regarding the ownership of Partel, Inc. Rather, the two declarations signed by Micheal Parker that Adams relied upon for its allegations are limited to (1) the "Schedule of Current Income and Expenditures," and (2) the "Statement of Executory Contracts." Indeed, there is nothing in Adams *Motion* that suggests that these particular declarations are false. Thus, contrary to its assertions, Adams has failed to show, on the record, that Micheal Parker made any false declaration in the bankruptcy petition regarding his alleged ownership interest in Partel, Inc. Therefore, Adams cannot claim, under the evidence provided, that Micheal Parker made any false misrepresentation, under penalty of perjury, to the bankruptcy court regarding the ownership of Partel, Inc.

B. The Statute of Limitations For Bringing An Action For Misrepresentations In A Bankruptcy Petition Is One Year.

20. Notwithstanding the procedural defects in Adams' *Motion*, even if Adams could provide sufficient evidence to substantiate its allegations, which Reading believes would be unavailing, under federal law, any action brought against Micheal Parker for fraudulent misrepresentation in his personal bankruptcy petition must be brought within one year after the case is discharged.³ Therefore, because almost ten years have passed since the discharge of Mr. Parker's petition, any claim brought now would fail to result in adjudicated misconduct of which the Commission could take cognizance.

³ See 11 U.S.C. §§ 727 (d) & (e).

21. Consideration of Adams' allegations here effectively would require the Presiding Officer to reach a determination on the alleged misconduct itself. Clearly, this is a matter which should not be adjudicated by the Commission in the first instance. The Commission lacks jurisdiction and expertise to act as a review panel in bankruptcy proceedings.⁴

III. To The Extent That Adams Attempts To Rely On Information From Reading's Corporate Minutes, That Information Is Not Admissible Because It Is Unacceptable Hearsay And It Does Not Demonstrate An Adjudication Of Non-FCC Misconduct.

22. In its *Motion*, Adams makes reference to Reading's corporate minutes. Adam correctly advises the Presiding Officer that at the time it filed its *Motion*, the production of Reading's corporate minutes was in dispute. *Motion* at ¶6. However, rather than respect the Commission's procedure and practices by waiting for the Presiding Officer to rule on the contested minutes, Adams instead decided *sua sponte* to disclose certain information in its *Motion* which was pending *in camera* review by the Presiding Officer.

23. Clearly, corporate meeting minutes, under the appropriate circumstances, can be admitted in administrative proceedings under the business records hearsay exception.⁵ However, in its *Motion*, rather than submitting actual copies of the minutes (obviously, because the minutes were not in Adams'

⁴ See 47 U.S.C. §§ 151-152.

⁵ See FED R. EVID. 803(6). Generally, corporate minutes qualify as business records that can be admitted under the business records exception as evidence of what transpired at relevant meetings if the minutes are kept in the course of regularly conducted business activity.

possession), Adams makes statements about certain information in the minutes based on notes taken by Adams' counsel when he reviewed the minutes.⁶ It is clear that the statements relating to Reading's corporate minutes in Adams' *Motion* are not covered by the hearsay exception for business records. Instead, Adams' statements constitute double hearsay, which is not admissible as evidence in this proceeding.

24. It is well-settled that administrative proceedings may consider, under the appropriate circumstances, relevant and material hearsay. *Janice Fay Surber*, 5 FCC Rcd 6155 (Rev. Bd. 1990); *Lee Optical*, 2 FCC Rcd 5480 Rev. Bd. 1987). However, "a prime indicium of probity is whether the declarants are disinterested witnesses." *Janice Fay Surber*, 5 FCC Rcd 6155, citing *Perry S. Smith*, 103 FCC 2d 1078, 1082 (Rev. Bd. 1985). Certainly, not even Adams can argue that Mr. Cole, as Adams' counsel, is a "disinterested witness" in this proceeding. Accordingly, the evidence submitted by Adams related to Reading's corporate minutes, which must be deemed double hearsay, does not fall under the relevant and material hearsay that can be considered in administrative proceedings. Therefore, the Presiding Officer must ignore any evidence submitted that relies on Reading's meeting minutes.

25. Even if Adams had presented admissible evidence as to alleged misconduct by Mr. Parker through its references to the corporate minutes, Adams

⁶ Adams relied on a declaration by Harry F. Cole, counsel for Adams, (Exhibit 3 to its *Motion*) for the truthfulness of the minutes. Although it is undisputed that Mr. Cole is an officer of the court, as counsel for Adams, it cannot be said that Mr. Cole is a disinterested witness.

fails to show that the alleged misconduct resulted in an adjudication of relevant non-FCC misconduct under the *Character Policy Statement*. See, e.g., *GAF Corp.*, 7 FCC Rcd 3225 (1992) (the agency's policy is to generally refrain from considering nonadjudicated, non-FCC misconduct in assessing the character qualifications of an applicant); *WPOM Radio Partners, Ltd.*, 6 FCC Rcd 1536 (Mass Media Bur. 1991) (fraudulent billing by a broadcast station is non-FCC misconduct requiring an adjudication). Even a civil judgment involving misrepresentation is not necessarily relevant to an applicant's character qualifications, and in this case Adams has not shown that there was even a lawsuit filed that alleged misrepresentations, much less a civil judgment of that nature. See *Character Policy Statement*, 6 FCC Rcd 3448 (1991). Accordingly, Adams' allegations as to statements appearing in Reading's corporate minutes do not even approach the level of stating a colorable claim. Clearly, these allegations are made for purposes of character assassination rather than to advance a meritorious showing of misconduct. Reading urges the Presiding Officer to dismiss these allegations forthwith.

26. The fact that Reading deems it unnecessary to present a factual response to Adams' efforts at character assassination must not be mistaken for an admission that Adams' claims are either correct or relevant. Even if they were, Reading notes that anyone reading the minutes must understand that Reading's corporate minutes reflect ongoing internal business discussions. Further, it should not be unexpected that at certain times inflammatory statements might be made, especially during a period of time when Reading's officers and directors were engaged in intense discussions regarding the proper course of action to take with

regard to moving the company out of bankruptcy. Accordingly, inflammatory statements reflected in Reading's minutes should be viewed in their proper context and not in isolation. While particular excerpts, taken out of context and isolated from the vast majority of the time where there is consensual corporate discussion, may provide some titillation to an adversary, long-established Commission policy precludes consideration of unadjudicated instances of name-calling. *See Character Policy Statement* at ¶46.

27. For the aforementioned reasons, Reading respectfully requests that the Presiding Officer deny Adams' *Motion*.

Respectfully submitted,

READING BROADCASTING, INC.

By: Thomas J. Hutton
Thomas J. Hutton
Randall W. Sifers

Its Attorneys

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2100 Pennsylvania Ave., N.W.,
Suite 400
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October 28, 1999

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

EXHIBIT E

CERTIFICATE OF SERVICE

I, Ellen Wallace, a secretary in the law firm of Holland & Knight, LLP, do hereby certify that on October 28, 1999, a copy of the foregoing OPPOSITION TO MOTION TO ENLARGE ISSUES (FALSE STATEMENTS AND MISREPRESENTATIONS BY MICHEAL PARKER IN BANKRUPTCY PROCEEDING) was delivered by hand to the following:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W., Room 1-C864
Washington, DC 20554

James Shook, Esq.
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Ellen Wallace

EXHIBIT A

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September 17, 1999

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HAND DELIVERED

Thomas J. Hutton, Esquire
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Holland & Knight LLP
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Re: Reading Broadcasting, Inc., MM Docket No. 99-153

Dear Tom and Randy:

Per Judge Sippel's Order, I am delivering to you herewith on behalf of Adams Communications Corporation documents in response to the Request for Production of Documents addressed to Adams in the above-referenced proceeding. Some of these have been redacted with respect to information which is not relevant to the issues in that proceeding.

As I advised Randy by telephone earlier today, I am still in the process of reviewing materials from my own files relative to privilege, but I expect to have a description of those materials to you early next week. If in the course of that review I come across any other non-privileged documents, I will provide them to you as well.

We have still been unable to find a file copy of the Monroe application in our dead files. I am advised that archived files are still being searched in Chicago, and there remains at least some possibility that a copy will turn up. Again, I will advise you of progress in that regard.

Please call me if you have any questions about these matters.

Sincerely,


Harry F. Cole

EXHIBIT B

EXHIBIT 4

Approved by OMB
3060-0010
Expires 06/30/95

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FOR
FCC
USE
ONLY

2-2/MELLON MAR 31 1994

04-04-94 8180888 023

FCC 323

OWNERSHIP REPORT

SECTION I - FEE INFORMATION (For Annual Ownership Report Filers Only)

1. LICENSEE NAME			
Reading Broadcasting, Inc.			
MAILING ADDRESS (Line 1) (Maximum 35 characters)			
1729 N. 11th Street			
MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)			
CITY		STATE OR COUNTRY (if foreign address)	ZIP CODE
Reading		PA	19604
TELEPHONE NUMBER (include area code)		CALL LETTERS	
610-921-9181		WTVE	
FOR MAILING THIS REPORT, SEE GENERAL INSTRUCTION 2.			
2. A. Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
B. If No, explain: _____; and go to Section II.			
C. If Yes, provide the following information:			
Enter in Column (A) the correct Fee Type Code for the services covered by this report. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).			
(A)	(B)	(C)	
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1) M A T		\$ 35.00	
(2)		\$	FOR FCC USE ONLY
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.			FOR FCC USE ONLY
			35.00

SECTION II - OWNERSHIP INFORMATION (for all filers)

1. All of the information furnished in this Report is accurate as of March 29, 19 94

(Date must comply with Section 73.3515(a), i.e., information must be current within 60 days of the filing of this report, when 1(a) below is checked.)

This report is filed pursuant to Instruction *(check one)*

1(a) ☒ Annual

1(b) ☐ Transfer of Control or
Assignment of License

1(c) ☐ Other

for the following stations:

Call Letters	Location	Class of service
WTVE	Reading, PA	TV

Reading Broadcasting, Inc.
FCC Form 323

EXHIBIT 2

Micheal L. Parker is the sole shareholder, officer and director of Partel, Inc. Mr. Parker's media interests are set forth in Exhibit 1.

EXHIBIT C

EXHIBIT 5

1 and a Cadillac dealership. It was a great
2 investment. I got to drive a free Cadillac
3 and got my money back at the end.

4 But apart from that, I don't really
5 recall any directorships. That doesn't mean,
6 again, they didn't exist then.

7 Q All right. When I was reading the
8 few transcripts I saw where for a period of
9 time you did business as Micheal Parker and
10 Associates or some such name, and then there
11 came a time where you often did business as
12 Partel, Inc; is that correct?

13 A That's correct.

14 Q You are the sole owner of Partel,
15 Inc?

16 A That is correct -- excuse me, I
17 said it's correct. But I live in a community
18 property State, so I would assume that my
19 wife owns half.

20 Q Partel, Inc, performed some of the
21 consulting services that were referred to in
22 the transcript that we had, Exhibit 3?

1 A I'd have to know the date of this
2 examination.

3 Q I don't mean to take up time on
4 that. Approximately when did Partel, Inc,
5 come in to being and was a vehicle by which
6 you performed some sort of services one way
7 or another?

8 A I'm sorry, I don't, I'm sitting
9 here trying to come up with a date and I
10 don't really recall. If it's all right, I'll
11 get you that answer after lunch, because I
12 can go back and ask my staff what day it was
13 incorporated.

14 Q That would be, that would be fine.

15 A I'd rather do that and get you an
16 accurate answer.

17 Q That's fine. All right, let's talk
18 about Reading Broadcasting, Inc. Describe
19 the circumstances under which you became
20 involved in this veil of tears.

21 A I was in the bathtub, taking a
22 bath, and I got a phone call from a broker

1 in order to get the plan approved, if it were
2 objected to by anybody, it probably would
3 have fallen apart.

4 So, he worked with me with a lot of
5 creditors to convince them that this plan was
6 the way to go. That's why it took so long to
7 get from its first filing to its final
8 approval.

9 Q Were you instrumental in Mr. Mercer
10 becoming the secretary of the corporation?

11 A Very much so, and I and several
12 other directors actually thought that, at
13 that point in time, in order to get us from
14 the paper transaction through the final on
15 the air transaction, that it was a good, it
16 was good to have Mr. Mercer there.

17 Q Ms. Hendrickson is vice president,
18 who is she?

19 A She was an employee of Partel and
20 was my chief assistant for a number of years
21 and when she came to Reading, her primary job
22 was troubleshooter, talk to the staff, find